

TONY WEST
Assistant Attorney General
MELINDA HAAG
United States Attorney
ELIZABETH J. SHAPIRO
Deputy Branch Director, Federal Programs Branch
Civil Division
NICHOLAS CARTIER, CA Bar #235858
Trial Attorney, Federal Programs Branch
Civil Division
20 Massachusetts Ave NW, 7224
PO Box 883 (US Mail)
Washington, DC 20530
Tel: 202-616-8351
Fax: 202-616-8470
email: nicholas.cartier@usdoj.gov
Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ELECTRONIC FRONTIER FOUNDATION, Plaintiff,
vs.
DEPARTMENT OF JUSTICE, Defendant.)
Case No. 10-CV-4892-RS
)
)
**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE ALL DATES
FOR PARTIES' CROSS MOTIONS
FOR SUMMARY JUDGMENT BY
ONE WEEK**
)
[CIV. L.R. 6-2]
)

Pursuant to Fed. R. Civ. P. 6(b)(1) and Civil L.R. 6-2, the parties, by and through their undersigned counsel, have conferred and hereby stipulate to and respectfully request the Court grant a one-week extension to all dates in the briefing schedule previously submitted and signed by the Court on February 7, 2012 (Dkt 34). The new schedule as proposed by the parties is as follows:

Defendant DOJ and its components DEA, DOJ Criminal Division and FBI move for summary judgment.

March 1, 2012

1 Plaintiff files opposition and cross-moves for summary judgment. March 29, 2012
 2 Defendant files reply and opposition to Plaintiff's motion. April 12, 2012
 3 Plaintiff files reply in support of motion for summary judgment. April 26, 2012
 4 Hearing on cross motions. May 10, 2012
 5

6 The requested change will minimally affect the present schedule for the case because it
 7 proposes continuing all dates, including the hearing date on the parties' cross motions for summary
 8 judgment, by one week. In accordance with Civil L.R. 6-2(a), this stipulation is supported by the
 9 Declaration of Nicholas Cartier, counsel for Defendant, filed herewith and a proposed order below.

10 The parties have previously stipulated to a briefing schedule (Dkt. 28) and to two
 11 adjustments to that briefing schedule, one to accommodate the Defendant (Dkt. 32) and the other to
 12 accommodate the Plaintiff (Dkt. 34). Defendant seeks the current one-week extension to allow its
 13 three components (Criminal Division, DEA and FBI) to complete final work on their complicated
 14 and lengthy *Vaughn* indexes and declarations. In addition to the complexity of the declarations and
 15 indexes, this extension is warranted given the absence for portions of this week of certain key
 16 agency personnel involved in finalizing the declarations and indexes. Plaintiff consents to the
 17 extension.
 18

19 The parties respectfully request that the schedule above be adopted in place of the schedule
 20 previously proposed.
 21

22 DATED: February 16, 2012

23 /s/ Nicholas Cartier
 24 NICHOLAS CARTIER, CA Bar #235858
 Trial Attorney, Federal Programs Branch
 Civil Division
 25 20 Massachusetts Ave NW, 7224
 Washington, DC 20044
 Tel: 202-616-8351
 Fax: 202-616-8470
 email: nicholas.cartier@usdoj.gov
 26 *Attorney for Defendant*
 27

1
2 **CERTIFICATE OF SERVICE**
3

4 I hereby certify that on February 16, 2012, I caused a copy of the foregoing to be served on
5 Plaintiff via the Court's ECF system.
6
7

8
9
10 /s/ Nicholas Cartier
11 NICHOLAS CARTIER
12

13 **GENERAL ORDER NO. 45(X) CERTIFICATION**
14

15 I attest that I have obtained the concurrence of Jennifer Lynch, counsel for Plaintiff, in the
16 filing of this document.
17

18 /s/ Nicholas Cartier
19 NICHOLAS CARTIER
20

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.
22

23 Dated: 2/17/12
24

25 
26 Hon. Richard Seeborg
27 United States District Judge
28